IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WA.No. 2159 of 2006()

AGAINST THE JUDGEMENT/ORDER IN OP.19144/1998 Dated 07/11/2005
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APPELLANT: RESPONDENTS
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1. STATE OF KERALA,
REP. BY CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE COMMANDANT,
MALABAR SPECIAL POLICE,
MALAPPURAM.

3. THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BENNY GERVASIS

RESPONDENTS: PETITIONERS
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1. C.K.KUMARAN,
ULPHOLSYTERER, M.S.P.RANGE WORKSHOP,
MALAPPURAM.

2. P.SURABMANIAN, MECHANIC GRADE-I,
M.S.P.RABNGE WORKSHOP, MALAPPURAM.

3. A.MOHANAN,
BLACKSMITH, M.S.P.RANGE WORKSHOP,
MALAPPURAM.

BY ADV. SRI.V.RAJENDRAN FOR R1 TO R3

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.
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W.A. NO. 2159 OF 2006
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Dated this the 28th day of June, 2007

J U D G M E N T

Radhakrishnan, J.

The writ appeal arises out of the judgment in OP No.19144 of 1998. The writ petition was preferred by the respondents herein seeking a writ of mandamus directing the respondents to revise the pay of the petitioners treating them on a par with Executive Technicians and also for a direction to the respondents to revise the pay of the petitioners giving the full benefits granted in Ext.P2 judgment and also for a direction to consider Exts. P4, P5 and P6 representations. Learned Single Judge while disposing the writ petition has stated that fixation of pay has to be given effect to from the date of joining service. Learned Single Judge also opined that what this court intented in Ext.P3 was to grant the scale with effect from the date of entry in service as Civil Technician, limiting the financial benefit from 5.7.92.

2. We are of the view that since the petitioner has already placed his grievances before the Government as per Exts. P4 to

P6 representations, it would be appropriate that Government itself would examine the grievance. The Government would pass orders untramelled by the observations contained in the judgments in OP No.19144/98 as well as OP No.12711 of 1992 within a period of three months from the date of receipt of a copy of this judgment.

Writ appeal is disposed of as above.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp